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nextSource, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO COURTHOUSE

DEMETRIC DI-AZ, OWEN DIAZ and
LAMAR PATTERSON,

Plaintiffs,

vs.

TESLA, INC. DBA TESLA MOTORS, INC.;
CITISTAFF SOLUTIONS, INC.; WEST
VALLEY STAFFING GROUP;
CHARTWELL STAFFING SERVICES,
INC.; NEXTSOURCE, INC.,

Defendants.

Case No. 3:17-cv-06748-WHO
*[Removed from Alameda Superior Court,
Case No. RG17878854]*

**DECLARATION OF VERONICA
MARTINEZ IN SUPPORT OF
DEFENDANT NEXTSOURCE, INC.'S
MOTION FOR SUMMARY JUDGMENT
OR, IN THE ALTERNATIVE, MOTION
FOR SUMMARY ADJUDICATION OF
ISSUES**

Date:
Time: 2:00 p.m.
Courtroom: 2
Judge: Hon. William H. Orrick

Amended Complaint Filed: December 26, 2018

1 I, **VERONICA MARTINEZ**, declare as follows:

2 1. I am currently employed by Chartwell Staffing Services, Inc. ("Chartwell") as a
3 Senior Area Vice President. I have worked for Chartwell in that capacity at all times relevant to
4 this declaration. I have personal knowledge of the facts set forth in this declaration and, if called
5 upon to testify, I could and would testify competently and truthfully thereto.

6 2. Chartwell provides staffing and other human resources related services to small
7 companies across the country, including Tesla.

8 3. On January 22, 2016, Chartwell was advised of a complaint made via email from
9 Owen Diaz. Diaz alleged that Ramon Martinez, a Chartwell employee temporarily assigned to a
10 factory operated by Tesla, Inc. dba Tesla Motors, Inc. in Fremont, California, made an offensive
11 drawing on a cardboard box in the portion of the factory where Diaz worked. Unlike Martinez,
12 Diaz was not an employee of Chartwell.

13 4. Upon receipt of the complaint, Chartwell began to immediately perform an
14 investigation into the veracity of the allegations made by Owen Diaz.

15 5. As part of the internal investigation, I interviewed Martinez on or about January
16 22, 2016.

17 6. Chartwell also conducted an interview of Diaz regarding the incident on Monday,
18 January 25, 2016 with the permission of his employer, CitiStaff Solutions, Inc.

19 7. At the conclusion of the investigation, Chartwell placed Martinez on Corrective
20 Action from January 26, 2016 through December 31, 2016 for conduct substantially impairing
21 the discipline and order of the work environment.

22 8. Prior to Diaz's complaint, Chartwell did not have a record of any harassment
23 complaints filed against Martinez. In addition, Chartwell does not have any record of any other
24 harassment or discrimination complaint at the Tesla Factory.

25 I declare under penalty of perjury under the laws of the State of California that the
26 foregoing is true and correct. Executed on this 15 day of October 2019 in Oakland,
27 California.

28 
Veronica Martinez